

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

STEVEN W. HABERMAN,

Plaintiff,

v.

PNC MORTGAGE COMPANY f/k/a)
NATIONAL CITY MORTGAGE CO. A)
DIVISION OF PNC BANK f/k/a NATIONAL)
CITY BANK

Defendants.

CASE NO. 4:11-CV-00126

DEFENDANT’S DESIGNATION OF EXPERT WITNESSES

Pursuant to the Scheduling Order in this case and Federal Rule of Civil

Procedure 26(a)(2), Defendant PNC MORTGAGE, a division of PNC Bank, N.A. (“PNC”) submits its Designation of Expert Witnesses as follows:

I.

PNC Bank may call in the trial of this matter one or more of the following witnesses, in person or by deposition, in its case in chief and/or in rebuttal, for the purpose of presenting evidence under Federal Rule of Evidence 702, 703, or 705:

1. Current and former employees of PNC Mortgage and National City Mortgage

Depending upon the testimony elicited in Plaintiffs' case in chief, PNC Bank may call to testify current and/or former employees of PNC Bank, including those identified in PNC Bank's Rule 26(a) Initial Disclosures, who may also provide expert opinion testimony about PNC Bank's non-responsibility for Plaintiffs' alleged claims and alleged damages.

2. Plaintiff’s Medical and Mental Health Doctors

Plaintiff alleges mental anguish. PNC Bank may call to testify current and/or former medical and mental health physicians or therapists who may have treated Steven Haberman for his physical or mental health issues relating to this case, including those persons identified in Plaintiff’s Rule 26(a) Initial Disclosures.

3. Custodian of Records for Medical and Mental Health Facilities

PNC Bank may call the custodian of records of the medical and mental health facilities where Steven Haberman sought treatment for his physical or mental health issues relating to this case, including those persons identified in Plaintiff's Rule 26(a) Initial Disclosures.

4. Custodian of Records for Personnel Departments of Employers of Steven Haberman

PNC Bank may call to testify current and/or former Custodian of Records for Employers of Steven Haberman, including those persons identified in Plaintiff's Rule 26(a) Initial Disclosures.

5. Without admitting, and hereby expressly reserving its right to deny, that the expert witnesses designated by Plaintiffs (if any) are properly designated or qualified, PNC Bank, in an effort to identify fully the potential expert witnesses in this lawsuit, states that it may call persons designated as expert witnesses by any other party to this case.

6. Defendant reserves the right to supplement its testifying expert witness and supplement its rebuttal expert witnesses to the extent information is discovered hereafter that requires such witness(es).

Respectfully Submitted

/s/ Latosha Lewis Payne

VORYS SATER SEYMOUR & PEASE

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ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the following document has been forwarded to counsel for Plaintiff *via ECF* on this the 10th day of February, 2012.

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/s/ Latosha Lewis Payne

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